

*** DRAFT ***
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Title 6

ANIMALS

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Chapter 6.04 – General Provisions

6.04.010 Short title.

This title shall be known as the “South Salt Lake City Animal Control Ordinance” or “Title 6, South Salt Lake City Code.”

6.04.020 Definitions.

"Abandonment" means placing an animal in an environment where the animal is separated from basic needs such as food, water, shelter, or necessary medical attention, for a period longer than twenty-four (24) hours; failure to reclaim an animal seventy-two (72) hours beyond the time agreed upon with a kennel, grooming service, or similar facility; and/or failure to reclaim a pet from an animal shelter beyond seventy-two (72) hours after notification or refusal to sign relinquishment authorization.

"Animal at large" means any domesticated animal, whether or not licensed, not under restraint as defined in this section.

"Animal boarding establishment" means any establishment that takes in animals for boarding for a fee.

"Animal grooming parlor" means any establishment maintained for the purpose of offering cosmetologist services for animals for a fee.

“Animal services division” or “division” means the animal services division of the City of South Salt Lake.

“Animal shelter” means a facility that is owned or operated by a governmental entity or any non-profit animal welfare organization licensed by the State of Utah or a political subdivision thereof, which provides services for stray, lost, or unwanted animals, including holding and placing the animals for adoption, including any private humane society or private animal welfare organization.

"Attack" means any action or attempted action by an animal which either directly or indirectly places a person or another animal in danger of bodily harm. Actual physical injury is not required to constitute an attack.

"Bite" means the infliction of bodily injury upon a person or other animal, by the teeth of an animal.

"Bodily injury" has the same definition as is found in section 76-1-601 of the Utah Code, as amended, and applies to both humans and other animals.

"Cat" means any age feline of the domesticated types over four months in age.

"Cattery" means an establishment for boarding, breeding, buying, grooming or selling cats for a fee.

"Community cat" means a feral, free-roaming, homeless, wild or untamed cat, which lacks discernible or microchip owner identification of any kind, and has been sterilized, vaccinated, and ear-tipped.

"Director" means the director of the Urban Livability Department for the City of South Salt Lake.

"Dog" means any *canis familiaris* over four months of age.

"Domesticated animals" means animals accustomed to live in or about the habitation of man, including but not limited to cats, dogs, fowl, ferrets, gerbils, horses, swine and goats. A list of allowed domesticated animals may be adopted by the city council.

"Ear-tipping" means removing approximately one quarter-inch off the tip of a cat's left ear while the cat is anesthetized for sterilization.

"Enclosure" means a fence or structure of at least six feet in height, forming or causing an enclosure suitable to confine a vicious dog in conjunction with other measures which may be taken by the owner or keeper, such as tethering of the vicious dog.

"Exotic animal" means an animal which does not appear on the list of "wild animals," is domestically bred, and whose species' native habitat is not indigenous to the continental United States, and also includes any snake which exceeds ten (10) feet in length.

"Feral cat" means a cat which would normally be domesticated, but has reverted to the wild.

"Ferret" includes a ferret which is bred and sold as a domestic pet, and not protected by the Utah Division of Wildlife Resources.

"Guard dog" means a dog kept on the premises of a lawfully situated business for the protection of person or property. It does not include a dog which resides at a private residence.

"Holding facility" means any pet shop, kennel, cattery, groomery, riding school, stable, animal shelter, veterinary hospital, humane establishment or any other such facility for holding animals.

"Impound" means taken into the possession and custody of an animal control agency, law enforcement agency or an agent thereof.

"Kennel" means an establishment having three or more dogs for the purpose of boarding, breeding, buying, grooming, letting for hire, training for fee or selling.

"Leash" or "lead" means any chain, rope, or cable used to restrain an animal.

"Livestock" means any animal traditionally kept for husbandry, regardless of the owner's intentions for keeping a specific animal, and includes fowl and hooved domesticated animals.

"Off-leash area" means an area specifically designated by the parks department and animal services as appropriate for a specified animal to exercise or socialize without leads, leashes or other restraints.

"Person" means a natural person or any legal entity, such as a partnership, corporation or company.

"Pet" means any domesticated animal kept for pleasure rather than utility, including but not limited to birds, cats, dogs, fish, hamsters, mice and other animals associated with the human environment, such as ferrets.

"Pet shop" means any establishment containing cages or exhibition pens, not part of a kennel or cattery, wherein dogs, cats, birds or other pets for sale are kept or displayed.

"Private Cattery" means the land or building where more than three but less than eight surgically sterilized cats, owned by the permittee, are held indoors or in secure enclosures for exhibition or for the enjoyment of the household and not used for a commercial purpose.

"Provoke" means any deliberate act by a person towards an animal done with intent to tease, torment, abuse, assault, or otherwise cause a reaction by the animal; provided, however, that any act by a person done with intent to discourage or prevent an animal from attacking shall not be considered a provocation.

"Quarantine" means the isolation of an animal in a substantial enclosure so that the animal is not subject to contact with other animals or unauthorized persons.

"Rescued animal" means an animal adopted from an animal shelter. It does not include an animal acquired by any other means. Proof of adoption at an eligible facility is required.

"Riding school" or "stable" means an establishment which offers boarding and/or riding instructions for any horse, pony, donkey or mule which offers such animals for hire.

"Service animal" has the same definition as found in section 62A-5b-102 of the Utah Code, as amended.

"Sterilized" means that an animal has been surgically altered either by the spaying of the female animal or the neutering of the male animal, so that the animal is unable to reproduce.

"Stray" means any animal at large as defined in this section.

"Substantial bodily injury" has the same definition as it is found in section 76-1-601 of the Utah Code, as amended.

"Supervisor" means the supervisor of the animal services division, or another individual given authority to act in the supervisor's place.

"Transfer" means that an animal shelter sells, gives away, places for adoption, or transfers ownership of an animal to a recipient.

"Under restraint" means an owner or person's having charge, care, custody or control of an animal to the extent that the animal is confined to the real property of that owner; except a dog shall not be considered under control of the owner unless on a leash or lead, confined within a vehicle, or restrained within the real property limits of the owner. An animal shall not be considered under restraint within the real property limits of the owner if an individual engaged in a normal and expected activity may come in conflict with such animal on the owner's property, unless there is sufficient protection to insure the individual's safety and warning is given of the presence of such animal. Electronic devices, such as training or electronic fences do not render an animal under restraint.

"Vicious animal" means:

1. Any animal determined to be vicious pursuant to section 6.16.030; or
2. Any animal which, because of its size, physical nature or vicious propensity, is capable of inflicting serious physical harm or death to humans and which would constitute a danger to human life if it were not kept in the manner required by this title.

"Wild animal" means:

1. Any animal of a species that in its natural life is wild unless otherwise designated by the city council as domesticated upon a showing by the owner of domestication;

2. Any animal which is not commonly domesticated, or which is of a wild or predatory nature;
3. Any animal which, because of its size, growth propensity, vicious nature or other characteristics would constitute an unreasonable danger to human life, health or property if not kept, maintained or confined in a safe and secure manner;
4. Those animals, however domesticated, shall include but are not limited to:
 - A. Alligators, crocodiles, caiman, or venomous reptiles;
 - B. Bears (Ursidae). All bears including grizzly bears, brown bears and black bears;
 - C. Cat Family (Felidae). All except the commonly accepted domestic cats, including cheetahs, cougars, leopards, lions, lynx, bobcats, panthers, mountain lions, tigers and wildcats. Any cat crossbred with a wild animal as described herein shall be considered wild;
 - D. Dog Family (Canidae). All dogs, with the exception of domesticated dogs, including but not limited to fox, coyote, wolf and wild dingo. Any dog crossbred with a wild animal, as described herein, shall be considered wild;
 - E. Venomous fish and piranha;
 - F. Raccoons, skunks, porcupines, and all members of the weasel family, including weasels, martins, wolverines, wild ferrets, badgers, otters, ermine, mink, mongoose, etc.
 - G. Primate (hominidae). All subhuman primates.

"Worry" means:

1. to harass by tearing, biting or shaking with the teeth; or
2. to charge at a person or domestic animal in an aggressive or threatening manner, when no fence or obvious enclosure separates the animal from the public.

6.04.030 Violations and enforcement.

- A. Unless otherwise provided, any person violating the provisions of this chapter, either by failing to do those acts required herein or by doing any act prohibited by this chapter, shall be guilty of a Class C misdemeanor and punished accordingly. Each day such violation is permitted to continue shall constitute a separate offense and shall be punishable as such.
- B. Violations of this chapter are strict liability offenses, unless otherwise provided.
- C. This Title may be enforced by officials through criminal actions, or through administrative or civil actions. The city has sole discretion over decisions of the remedies it will choose to pursue.
- D. The possibility of an administrative remedy does not interfere in the city's right to prosecute violations of this chapter as criminal offenses.
- E. If the city chooses to file both civil and criminal charges for the same violation, no civil penalties in the form of fines shall be assessed, but other remedies, such as removal, destruction, muzzling, or declaratory or injunctive relief are available to the city in that civil proceeding.

6.04.040 Appeals.

- A. An animal owner may appeal the following to the City Administrative Law Judge:
 1. Removal orders;
 2. Destruction orders;
 3. Muzzling orders;
 4. Revocation or denial of licenses;
 5. Revocation or denial of a permit issued or applied for under this title;

6. A determination that an animal is a nuisance;
 7. A determination that an animal is vicious; and
 8. Administrative citations for violations of this title.
- B. The Administrative Law Judge shall conduct proceedings and notices of appeal shall be filed in accordance with Chapter 2.22 of this Code, unless otherwise noted in this title.

6.04.050 Notice of determination.

- A. Service of notice of a determination listed in section 6.04.040 is complete upon the following:
1. Upon the owner of an animal licensed in the city, through:
 - (a) personal service to the owner,
 - (b) mailing a copy via certified mail or other means which requires the recipient's signature;or
 - (c) posting in a prominent location at the address listed on that animal's license.
 2. Upon the owner of an animal which is not licensed - and only if that owner's name and address are known by the division:
 - (a) by mailing a copy of the notification to the owner's last known address;
 - (b) upon personal service; or
 - (c) posting the determination in a prominent location at that address.
 3. Upon a permittee:
 - (a) by mailing a copy of the notification to the address listed on the permit or application;
 - (b) upon personal service on the permittee or a person left in charge of a permitted facility;or
 - (c) posting the notification at the listed address.
 4. When service is accomplished by mail, there is added three additional business days for an appeal from that decision.
- B. Notices of adverse decisions shall state that the person receiving the notice has the right to appeal that decision within ten days from the date of the decision, and shall refer that person to both this section and section 2.22.040 of the this code. It shall include the procedures associated with filing an appeal with the administrative court.
- C. Owners of animals are responsible for notifying the animal control division of changes to contact information and license information. The failure of an owner to receive a notice, when officers have followed the above procedures, is not a defense to the action and does not increase the time allowed to appeal the animal control official's decision. Extensions of the right to appeal shall only be granted for good cause, as good cause is defined by Utah courts.
- D. If an animal is recovered or captured without a tag, microchip or other proof of ownership, the Division is not required to ascertain the owner's identity or provide notice for any action identified in this chapter, and the provisions of 6.08.080 apply.
- E. A person who fails to timely appeal an animal official's decision waives any and all objections to that decision, and waives any right to appeal that decision to the district court.

6.04.060 Special procedures in destruction and removal cases.

- A. Appeals from a decision to destroy or remove an animal must be submitted within five days of impoundment.

- B. Appeals from a decision to destroy or remove an animal shall be heard in an expedited fashion to avoid undue suffering or distress to the animal, to avoid additional boarding fees to the owner, and to avoid additional costs for the city.
- C. Upon receiving a notice of appeal from such a decision, the Administrative Law Judge shall set a hearing date to be held within ten calendar days of receiving the notice of appeal, or as soon as practicable under the circumstances.
- D. The Administrative Law Judge shall render a decision at the hearing if possible, or if the matter is taken under advisement shall render a decision within five calendar days.
- E. A person who appeals a destruction or removal decision must, at the time of appeal, pre-pay all accrued boarding fees, and provide a bond as required in section 6.08.090.
- F. An animal in the custody of the city which is the subject of a destruction or removal order shall not be released prior to a hearing.
- G. An order of destruction or removal may permit animal control officers to place the animal with another owner or a rehabilitation facility, if such placement is appropriate under the circumstances at the sole discretion of the animal control supervisor.
- H. A person who further appeals an order of destruction issued by the Administrative Law Judge to the District Court shall post bond for an additional thirty days. The person shall take steps to expedite the district court proceedings.

Chapter 6.08 Animal Control Division Administration

6.08.010 Animal control division.

The City of South Salt Lake shall have an animal control division within the Urban Livability Department.

6.08.020 Powers of animal control officials.

- A. The supervisor or any person employed by the division as an animal control officer is vested with the power and authority to enforce this chapter, as well as any other violations of city code or state law.
- B. The supervisor, deputies, assistants and officers are authorized and empowered to apprehend, take custody of, and impound any animal found in violation of this chapter, including animals for which no license has been procured in accordance with this chapter.
- C. In the enforcement of this chapter, any peace officer, the supervisor or a designee, when there is probable cause to believe that a violation of this chapter has occurred or is occurring, are authorized to enter onto the premises of any person to take possession of any animal in violation of this chapter. Such authority shall enable animals to be retrieved from any area of a person's property if it is necessary to impound an animal for failure by the owner of such animal to comply with the provisions of this chapter. Animal control officers who are denied access to a property may apply for a warrant to enter property and seize animals or other evidence, in accordance with Utah law.
- D. The supervisor, deputies, assistants and officers shall charge applicable service fees as set by resolution of the city council and shall not have the authority to modify, reduce, alter, waive, increase or change applicable fees.

6.08.030 Duties of animal control officials.

A. The supervisor shall:

1. Enforce this chapter and perform other responsibilities pursuant thereto;
2. Supervise the municipal animal shelter(s);
3. Keep adequate records of all animals impounded and all moneys collected;
4. See that all animals and animal holding facilities in the city are licensed, controlled and permitted in accordance with any applicable statute, ordinance and/or regulations;
5. Establish, in cooperation with the Salt Lake City/County board of health and other interested governmental agencies, adequate measures for rabies immunization and control.

B. Each animal control officer shall:

1. Enforce this chapter in all respects pertaining to animal control within the city including the care and impounding of animals and prevention of cruelty to animals;
2. Carry out all duties prescribed or delegated by the supervisor.

6.08.040 Interference with officer prohibited.

It is unlawful for any person knowingly or intentionally to interfere with the supervisor or any animal control officer in the lawful discharge of that official's duties.

6.08.050 Animal shelter.

- A. The city shall provide, or arrange to have provided, suitable premises and facilities to be used as an animal shelter where impounded animals can be adequately kept.
- B. The city shall provide for the painless and humane destruction of animals required to be destroyed by this title or by the laws of the state of Utah.
- C. The city may furnish, when necessary and feasible, medical treatment for such animals as may be impounded pursuant to this chapter.
- D. The city shall sterilize animals according to the requirements of this title and the laws of the state of Utah.

6.08.060 Impounding – Animals to be impounded.

- A. An animal control officer shall place all animals taken into custody in a designated animal impound facility.
- B. The following animals may be taken into custody without the filing of a complaint:
1. Any animal being kept or maintained contrary to the provisions of this title;
 2. Any animal running at large contrary to the provisions of this title;
 3. Any animal which is not licensed, when such an animal is required to be licensed under the provisions of this title; however, any dog which is not wearing a tag is presumed to be unlicensed until an owner is identified;
 4. Sick or injured animals whose owner cannot be located;
 5. Any abandoned animal;
 6. Animals which are not vaccinated for rabies in accordance with the requirements of this title;
 7. Any animal which must be held for quarantine; and
 8. Any vicious animal not properly confined as provided in Section 6.16.030.

6.08.070 Impound records.

The impounding facility shall keep a record of each animal impounded, including:

- A. Description of the animal;

- B. Tag numbers or microchip data, if available;
- C. The location of the pickup and name of the officer collecting the animal;
- D. The manner and date of disposition;
- E. The name and address of the redeemer or purchaser;
- F. The name and address of any person relinquishing an animal to the impound facility;
- G. All fees received; and
- H. All expenses accrued during impoundment.

6.08.080 Disposition of animals.

- A. Five day holding period. Animals may be impounded for up to five business days before further disposition, except as otherwise provided herein. Reasonable effort shall be made to notify the owner of an animal which is wearing a license or tagged with a microchip. Notice is deemed given when sent to the last address of the listed owner kept in animal control records. A failure to reach the owner does not extend the five day holding period.
- B. Relinquishment. A property owner may voluntarily relinquish an animal to an animal control officer or the shelter. Immediately upon relinquishment, these animals may be destroyed, placed for adoption, relocated or otherwise disposed of in accordance with Utah law, without the traditional five day holding period.
- C. All animals, except those quarantined or confined by court order, held longer than the minimum impound period may be destroyed, placed, relocated or sold as the animal control officer directs.
- D. Any licensed animal impounded and having or suspected of having serious physical injury or contagious disease requiring medical attention may, in the discretion of an animal control officer, be released to the care of the veterinarian with the consent of the owner.
- E. When in the judgment of the animal control supervisor, it is determined that because of serious illness or injury an animal should be destroyed for humane reasons or that it is necessary to destroy an animal to protect the public from imminent danger to persons or property, such animal may be destroyed without regard to any time limitations otherwise established herein, and without court order. The division shall promulgate policies to determine whether such a disposition is necessary.

6.08.090 Bond for impoundment beyond five days.

- A. If an animal is impounded for neglect, cruelty, viciousness, destruction, removal, quarantine after biting a person or animal, or for revocation of an owner's license, then the owner is required to post a bond for the costs of boarding and caring for the animal.
- B. Failure to provide such a bond within five days of impoundment constitutes abandonment of the animal. Upon occurrence of abandonment, the animal(s) shall become the property of the city, and all decisions regarding the disposition of the animal rest solely with the city.
- C. A thirty (30) day bond is required for any appeal from a removal/destruction determination, covering the cost of boarding and care pending the hearing.
- D. Amounts received by the city in excess of the fees due for the board and care of the animal shall be refunded by the city upon expiration of the order of impoundment, or may be applied to fines or fees owed by the owner to the city.

6.08.100 Sterilization requirements – adopted animals.

- A. An animal control officer may not transfer an unaltered animal through adoption, except as provided in this section.
- B. The supervisor may authorize the direct transfer of an animal to a veterinarian for purposes of sterilization, if the owner makes the request, the veterinarian has been retained to alter the animal, and the owner promises to provide proof of sterilization within ten (10) days of adoption.

6.08.110 Sterilization of animals impounded on multiple occasions.

- A. An owner whose animal has been impounded by the animal control division on more than one occasion may not redeem the animal unless the owner pays all impound fees and:
 - 1. receipt of proof that the animal was sterilized; or
 - 2. a sterilization deposit.
- B. The sterilization deposit shall be refunded to the owner only if the owner provides proof of sterilization within thirty days of release of the animal to the owner.
- C. If an animal has been impounded on a fourth occasion and has not been sterilized, then the city may only release the animal into the custody of a veterinarian who has been retained to sterilize the animal.
- D. The disposition of forfeited sterilization deposits shall be in accordance with state law.

6.08.120 Redeeming impounded animals.

- A. An owner of an impounded animal may redeem the animal if the owner does so before disposition, and if the owner pays:
 - 1. The impound fee (impoundment of animals on multiple occasions are subject to increased fees as set forth in the consolidated fee schedule);
 - 2. Daily board charges;
 - 3. Any veterinary costs incurred during impoundment, including rabies vaccination;
 - 4. License fees, if required by the code; and
 - 5. A sterilization deposit, if required by section 6.08.100 or 6.06.110.
- B. Impound fees shall be established in the consolidated fee schedule, and may be divided into categories based upon species or size.
- C. No impound fee is assessed if an owner reports a suspicion of rabies in the owner's animal, in compliance with this chapter, unless the suspected animal bit another animal or person.

6.08.130 Disposal of animals.

The division shall have the authority to dispose of animals as set forth in this title or when requested by the owner of the animal. The fee for such service shall be set forth in the consolidated fee schedule.

6.08.140 Adoption fee reduction or discount.

- A. The director may offer reductions, discounts, or fee-free adoption promotions, subject to the conditions and restrictions of this section.
- B. Promotions under this section shall comply with the following:
 - 1. The promotion shall be available to all members of the public; and
 - 2. Promotions shall be advertised at the shelter and on the city's website at least two weeks before the promotion begins.
- C. The director shall take the following into consideration when offering a promotion:
 - 1. The volume of animals currently in the shelter;

2. Promotions offered by surrounding agencies; and
3. Budgetary considerations related to the maintenance of animals at the shelter.

Chapter 6.12 - Keeping and Caring for Animals

6.12.010 Owners responsible for care of animals.

The owner of an animal is ultimately responsible for the behavior of an animal which belongs to that owner, regardless of whether the animal was in the care, custody or control of another individual.

6.12.020 Removal of animal waste.

- A. The owner or custodian of any animal shall remove any feces left by said animal on any sidewalk, gutter, street or other public area.
- B. The owner or custodian of an animal shall also remove any feces left by said animal on any private property for which consent has not been given to allow the leaving of feces. A person is subject to nuisance animal penalties if feces are not promptly removed by the owner or custodian on more than one occasion.
- C. The provisions of this section shall not apply to a guide dog, hearing dog, or other service dog accompanying any person with a disability, if such animal is actually being used by a disabled person.

6.12.030 Animal cruelty.

- A. Conduct falling under the provisions of the Utah Code's prohibitions against cruelty to animals, Utah Code Ann. § 76-9-301 et seq., shall be prosecuted in a criminal court, although civil remedies may be simultaneously sought.
- B. For purposes of section 76-9-305 of the Utah Code, the court in which the animal cruelty action is filed may make the determination that the animal be sold at public auction or destroyed, or that decision may be addressed by the Administrative Law Judge. Animals seized due to cruel or inhumane circumstances, but for which criminal charges will not be pursued, shall be disposed of, redeemed or placed according to 6.04.170 of this Code.

6.12.040 Animals running at large.

- A. It is unlawful for the owner or another responsible person having charge, care, custody or control of an animal to allow such animal at any time to run at large.
- B. The owner or person charged with responsibility of an animal found running loose shall be strictly liable for any property damage or injury to a person or another animal caused by such animal running at large, regardless of the precautions taken to prevent the escape of the animal and regardless of whether the person knows that the animal is running at large.
- C. Any animal shall be considered running at large if it is found on public property or the property of another and is not under restraint.
- D. The provisions of this section do not apply to dogs in a designated off-leash area of a public or private park.

6.12.050 Animals on unenclosed premises.

A. It is unlawful for any person to chain, stake out or tether any animal on an unenclosed premises in such a manner that the animal may go beyond the property line or upon the sidewalk or roadway.

B. It is not a violation of this section for an animal to cross into the property of an adjacent property owner if that property owner has consented to the entry.

6.12.060 Animals in public places.

It is unlawful to chain, stake out or tether any animal in a public place unless the person in charge of such animal is present and the animal is properly restrained so that the animal poses no threat of contact with a person engaged in a normal and expected activity.

6.12.070 Fences and enclosures.

A. The owner of or any person responsible for an enclosure or fence, which is intended to limit an animal's movement to a specific area, shall be liable under this chapter for a failure to properly maintain such enclosure or fence in a manner which prevents any part of the animal to protrude through the fence.

B. It shall not be necessary for an animal to have escaped from the enclosure for there to be a violation of this section.

C. No kennel, dog runs, shelter, dog house or similar structure shall be erected or maintained in a side yard, as defined in Title 17 of this code.

D. An electronic system by which an animal receives a shock or other stimulus when approaching the property boundary, or a similar product or method, does not qualify as a fence or enclosure under this chapter.

6.12.080 Prolonged chaining prohibited.

It is unlawful to chain or tether an animal outside in excess of six (6) consecutive hours per day, unless there is provided adequate shelter, food and water for the animal. In no event shall an animal be chained or tethered outdoors for more than ten (10) consecutive hours per day.

6.12.090 Animals in vehicles.

A. In cases not amounting to animal cruelty, it is unlawful for any person intentionally, knowingly, recklessly or with criminal negligence, to confine an animal within a vehicle without adequate ventilation, for an unusual length of time, when the vehicle's interior is subject to extreme temperatures, or any other condition which imperils the animal's welfare. A violation may be established by any one of these factors, or from their combination.

B. It is unlawful to allow any animal to jump from a vehicle while that vehicle is moving upon any public street within the city.

6.12.100 Injury to animals by motorists.

A. Every operator of a motor or other self-propelled vehicle upon the streets of the city shall immediately upon injuring, striking, maiming or running down any domestic animal give aid as can be reasonably rendered. In the absence of the owner, the operator shall immediately notify the South Salt Lake City animal control division or police department and report the incident.

B. It shall be the duty of such operator to remain at or near the scene until such time as the appropriate authorities arrive, and upon the arrival of such authorities, the operator shall identify him or herself to such authorities. In the absence of an owner, a person may give aid by taking

the animal to the animal control facility or another veterinary facility and notifying the animal control division.

C. Emergency vehicles are exempted from the requirements of this provision.

6.12.110 Unlawful to harbor stray animals.

A. Except as otherwise provided in this title or the laws of the state of Utah, it is unlawful for any person to harbor, feed on multiple occasions, or keep an animal which appears to be lost or strayed.

B. It is the duty of any person who finds stray, lost or feral animals to notify the animal control division within twenty-four hours, and permit the division to impound the animals.

C. The provisions of this section do not apply to appropriately licensed animal shelters.

D. This section does not prohibit a permitted community cat colony caretaker from providing food to community cats.

6.12.120 Malicious impounding.

A. It is unlawful for any person to secrete or impound the animal which belongs to another person.

B. The provisions of this section do not apply to animal control officers or peace officers acting within the scope of their authority.

6.12.130 Keeping dogs at travel trailer parks.

A. The city council finds that dogs kept or controlled by patrons of travel trailer parks presents a special hazard to other patrons and guests using those facilities even when otherwise restrained by leash or tether.

B. No person staying as a renter, guest or invitee at travel trailer park located in the city shall have charge, care, custody or control of any dog at such space or pad except that dog be:

1. totally enclosed within a solid structure, such as a portable kennel, run, cage or similar enclosure or in a motor vehicle which is adequately ventilated; or
2. is on a leash or tether physically controlled by that person.

C. The fact that the dog in question is otherwise tethered or not violating any other provisions of this chapter at the time in question shall not be a defense to a charge of violating this section.

D. Any dog being kept at any travel trailer park in violation of this section may be impounded by any police or animal control officer at any time a violation occurs without prior notice to the person having charge, care, custody or control of the dog.

6.12.140 Female dogs in heat.

Any owner or person having charge, care custody or control of any female dog in heat shall, in addition to restraining such dog from running at large, cause such dog to be constantly confined in a building or secure enclosure so as to prevent it from attracting by scent or coming into contact with other dogs and creating a nuisance, except for planned breeding.

6.12.150 Places prohibited to animals.

A. It is unlawful for any person to take or permit any animal, whether loose or on a leash or in arms, in or about any establishment or place of business where food or food products are sold or displayed, including but not limited to restaurants, grocery stores, meat markets and fruit or vegetable stores. This provision does not apply to licensed service animals.

- B. Except in specifically designated parks, it is unlawful for any person to take or permit any animal to be loose in any public park located within the corporate limits of the city. In parks in which animals are permitted, animals must be on a leash which is of sufficient strength to ensure that the person has absolute control of the animal. Leads shall not exceed six feet in length.
- C. In parks which contain specifically designated areas for off-leash animals, animals are to be kept on leashes or leads in accordance with subsection B, until they enter the designated “off-leash” areas.
- D. Exceptions may be made for any show or clinic held with the permission of the parks division.
- E. Properly licensed service animals shall not be prohibited from entry into an establishment or place of business, except as provided under federal or state law. Nothing in this chapter shall be construed as denying access to properly licensed service animals.

6.12.160 Sale of animals.

- A. Rabbits or fowl. It is unlawful for any person to sell, offer for sale, barter or give away any live baby rabbits or fowl under two months of age in any quantity less than six. Such animals shall not be artificially dyed or colored. Nothing in this provision shall be construed to prohibit the raising of such rabbits and fowl by a private individual for his or her personal use and consumption, provided that he maintains proper brooders and other facilities for the care and containment of such animals while they are in his possession.
- B. Premiums and novelties. It is unlawful for any person to offer as a premium, prize, award, novelty or incentive to purchase merchandise, any live animal.
- C. Pet turtles. It is unlawful for any person to raise or sell any *Pseudemys Scriptaelegans*, or *P. Troostii* family *Testudinidae*, “pet turtles.”

6.12.170 Limits on number of animals.

No person may permit more than the designated number of animals in or upon one residence or commercial establishment (except permitted facilities otherwise governed by this title) at one time, except as otherwise provided herein, or in the case of a service animal, as defined by Utah law. One additional animal may be permitted only as indicated on the following table. The allowed number of animals is as follows:

Type of Animal	Number permitted per residence or commercial establishment	Additional animals permitted if a rescued animal
Dogs	2	1
Cats	3	1
Ferrets	2	
Exotic animals	4	
Rabbits	6	

6.12.180 Litters of animals.

Notwithstanding section 6.12.170, litters of animals may be kept in excess of the animal limit until no later than four months after the litter is produced.

6.12.190 Wild animals.

A. It shall be unlawful to keep, sell, barter, give away, own, harbor or purchase any wild animal, as defined by this title, except that an animal shelter, zoological park, veterinary hospital, humane society shelter, public laboratory, or facility for education or scientific purposes may keep such an animal if protective devices are provided which are adequate to prevent such animal from escaping or injuring the public.

B. It shall be unlawful for any person to keep an animal of a species prohibited or protected by federal law or by any regulation or law of the State of Utah.

6.12.200 Livestock.

Livestock are prohibited in the city, unless located in the agricultural zone or the owner has established a legal, non-conforming use, as defined by title 17 of this code.

Chapter 6.16 Domestic Poultry and Beekeeping

6.16.010 Intent.

The purpose of this chapter is to provide standards for the keeping of domestic poultry and domestic bees in appropriate residential zones in the City of South Salt Lake. It is intended to enable residents to keep a limited number of Hens for non-commercial purposes, while establishing standards to limit the adverse impacts on neighboring properties, and ensuring the health and sanitation of the domestic poultry and related structures. It is also intended to impose requirements related to beekeeping to avoid problems with keeping bees in metropolitan and populated areas.

6.16.020 Agricultural zone exempt.

The provisions of this chapter do not apply to property located within the Agricultural zone.

6.16.030 Revocation of permit.

Any permit issued under this chapter may be revoked for violations of the standards in this Chapter, which revocation may be appealed as provided in section 6.04.040 of this Code.

6.16.030 General requirements for domestic poultry.

A. For parcels with a lot area of 6,000 square feet, residents may apply to keep up to four (4) hens. One additional hen shall be permitted for every 1,500 square feet greater than the minimum lot area, up to a maximum of six (6) hens.

B. Parcels in single-family residential zones that contain more than two residential dwelling units or a non-conforming multifamily structure shall not be eligible for a Domestic Poultry Permit.

C. It shall be unlawful for any resident to keep hens in a single-family residential zone without a current Domestic Poultry Permit from South Salt Lake City Animal Services.

D. Hens shall be kept for personal use only. The selling of eggs, fertilizer or breeding of Hens is prohibited.

E. All hens shall be kept in a henhouse or run. Henhouses and runs shall be fenced and maintained in accordance with the design standards set forth in this Chapter. Chickens only may be allowed outside of the henhouse during daylight hours, inside of an enclosed yard.

F. It shall be unlawful for any domestic poultry to be at large within City limits.

G. It shall be unlawful for the owner, keeper or custodian of any domestic poultry to allow the animal(s) to be a nuisance to any neighbor(s), including:

1. noxious odors from the animals or related structure,
2. associated rodent or pest infestation,
3. noise of a loud and persistent and habitual nature, or
4. any other condition which constitutes a nuisance pursuant to Utah law.

H. An officer of South Salt Lake City Animal Services, South Salt Lake City Code Enforcement, South Salt Lake City Police Department or the Salt Lake County Health Department shall determine whether a nuisance exists.

I. The slaughtering of Hens in public view is prohibited, but must be humane in any case.

J. It shall be unlawful for any resident to keep roosters, crowing hens, peafowl, or waterfowl, except where they are allowed as a legally nonconforming use.

6.16.040 Construction and maintenance requirements for henhouses and runs.

A. Location:

1. The henhouse and run shall be located in the rear yard only. On double frontage lots or corner lots, henhouses and runs shall not be allowed within twenty (20) feet of any dedicated street.
2. The henhouse and run shall be a minimum of five (5) feet from any property line.
3. The henhouse and run shall be a minimum of twenty-five (25) feet from the residence of the domestic poultry permit holder.
4. The henhouse and run shall be a minimum of fifty (50) feet from any adjacent residential structure, school building, or church.

B. Design Requirements:

1. The henhouse shall be enclosed on all sides and have a roof and access door that are able to be shut and secured. The Henhouse shall be ventilated and impermeable to rodents, wild birds, and predators including raccoons, skunks, dogs and cats. Any openings on the Henhouse or the entire Henhouse shall be elevated at least eighteen (18) inches above ground. Except for access doors, all other openings shall be sealed with rodent and predator-proof wire mesh with openings of one-quarter (1/4) inch or smaller.
2. The henhouse shall be free-standing and accessible on all sides for cleaning and maintenance.
3. The run shall be fully enclosed, including a roof, by a secured fence at all times. The fence must be at least (5) feet in height and no more than (6) feet in height. The fence shall be made of one-quarter inch metal mesh hardware cloth and buried at least two (2) feet in the ground. The buried portion of the fence shall be bent outward at least two (2) feet and covered with soil or pavers. Chicken wire shall not be permitted.
4. The total area of the henhouse and run shall be at least of six (6) square feet per hen and the total area of the henhouse shall be at least of two (2) square feet per hen. The total area of the run shall not exceed forty-eight (48) square feet and the total area of the henhouse shall not exceed thirty six (36) square feet.
5. Materials used for henhouses and runs shall be suitable for use in single-family residential zones. Wooden structures shall be painted or stained. Prefabricated henhouses are allowed, provided they meet the specification for excluding rodents.
6. The Henhouse shall not exceed eight (8) feet in height at its tallest point.

C. Sanitation Requirements

1. All henhouses and runs shall be kept and maintained in a clean and sanitary condition;
2. All droppings shall be cleaned out at least once every week.
3. Chicken Pens shall be thoroughly cleaned with a standard disinfectant at least three (3) times yearly, once in each of the months of March, July and October.
4. At all times, all hens shall have access to feed and clean liquid water.
5. Compost or manure which is generated by the use must comply with Salt Lake County regulations regarding storage and disposal.

6.16.050 Domestic poultry permit.

A. A Domestic Poultry Permit shall be required for the keeping of hens.

B. Residents seeking a Domestic Poultry Permit shall submit a completed written application to South Salt Lake City Animal Services. All requirements, attachments and fees set forth on the application shall be satisfied and submitted to South Salt Lake City Animal Services before the application shall be deemed completed.

C. Domestic Poultry Permit applications shall include the following documentation:

1. A completed and signed Domestic Poultry Permit application.
2. Fee paid, per the South Salt Lake City Consolidated Fee Schedule.
3. Site Plan. The Domestic Poultry Permit application shall include a site plan that incorporates the following elements:
 - a. The site plan shall include a date, North arrow and appropriate scale to reflect the location of the henhouse and run; and
 - b. The site plan shall include the locations of and distances from all existing property lines, neighboring residences, and any other structure within fifty (50) feet of the proposed henhouse and run location; and
 - c. The site plan shall include the dimensions of the existing or proposed henhouse and run; and
 - d. A photograph or illustration of the design of the henhouse and run, including construction materials, height and width dimensions.
4. For residents who are renting or leasing property, a notarized affidavit from the property owner granting the applicant permission to keep hens.

D. Issuance of any Domestic Poultry Permit is contingent upon successful completion of an on-site inspection by South Salt Lake City Animal Services.

E. A representative of South Salt Lake City or the Salt Lake Valley Health Department may inspect the domestic poultry enclosure and hen house at reasonable times to determine compliance.

6.16.100 General requirements for domestic beekeeping.

A. An apiary, consisting of not more than three (3) hives or an equivalent capacity, may be maintained in a side yard or rear yard of a parcel in single-family residential (R1) zones having a minimum lot area of 4,500 square feet.

B. Residents renting or leasing property shall be required to submit a notarized affidavit from the property owner granting the applicant permission to maintain an apiary.

C. All apiaries shall comply with Salt Lake County Health Department regulations, as amended.

D. Parcels in single-family residential zones that contain more than two residential dwelling units or a non-conforming multifamily structures shall not be eligible to maintain an apiary.

E. Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Utah Code, as amended. Proof of registration shall be sent to the City.

F. Apiaries shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals.

G. If any portion of an apiary is located within fifteen (15) feet from an area which provides public access or from a property line on the lot where an apiary is located, as measured from the nearest point on the hive to the property line, a flyway barrier of at least six (6) feet in height shall be established and maintained around the hive except as needed to allow access. Such flyway, if located along the property line or within five (5) feet of the property line, shall consist of a solid wall, fence, dense vegetation, or a combination thereof, which extends at least ten (10) feet beyond the hive in each direction so that bees are forced to fly to an elevation of at least six (6) feet above ground level over property lines in the vicinity of the apiary.

H. Each beekeeper shall ensure that a convenient source of water is available to the colony in a manner which is appropriate for providing water to bees, continuously between March 1 and October 31 of each year. The water shall be in a location that minimizes any nuisance created by bees seeking water on neighboring property.

I. Each beekeeper shall ensure that no bee comb or other beekeeping equipment is left upon the grounds of an apiary site. Upon removal from a hive, all such equipment shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

J. The keeping of bees for commercial enterprises is prohibited in any zone outside of the Agricultural (A-1) zone.

6.16.110 Requirements for hives.

A. Honeybee colonies shall be kept in hives with removable frames which shall be kept in sound and usable conditions.

B. Hives shall be placed at least five (5) feet from any property line and six (6) inches above the ground, as measured from the ground to the lowest portion of the hive with clear space underneath; provided, however, that the five (5) foot requirement may be waived in writing by the adjoining property owner.

C. Hives shall be operated and maintained as provided in the Utah Bee Inspection Act.

D. Each hive shall be conspicuously marked with the owner's name, address, telephone number, and state registration number.

6.16.120 Nuisance conduct.

It shall be unlawful for any person to keep beehives in a manner that is contrary to the provisions of this chapter or in a manner that threatens public health or safety, or creates a nuisance. In such cases, the City may apply for and receive an order of abatement to remove apiaries or bee colonies.

Chapter 6.20 - Attacks and Vicious Animals

Division I Attack, Bites, and Nuisance

6.20.010 Animal attack.

- A. It is unlawful for the owner or person having charge, care, custody or control of any animal, even if such care or custody is temporary, to allow that animal to attack any person, domestic animal or fowl, or any species of protected wildlife. The person having charge, care, custody or control is strictly liable for this offense.
- B. In addition to being subject to prosecution under subsection A of this section, the owner or person having charge, care, custody or control of such animal shall also be strictly liable in damages to any person injured, for any property damaged, or to the owner of any animal injured or destroyed thereby.
- C. Defenses. It is an affirmative defense if:
1. the attacking animal was deliberately or maliciously provoked;
 2. the attacking animal was properly restrained on private property which was clearly marked with signs warning against trespassing, and was reacting to a trespasser on the property.
- D. It is not a defense that a victim's injuries were caused by falling or attempting to break up a fight between animals.
- E. When more than one animal or person is injured as a result of the attack, there are multiple violations in the same amount as the number of victims.
- F. A violation of this section is a class C misdemeanor, unless the animal causes bodily injury due to a bite, in which case it is a class B misdemeanor.

6.20.020 Animal chasing or worrying another.

- A. In cases not amounting to a violation of section 6.16.010, it is unlawful for the owner or person having charge, care, custody or control of any animal, even if such care or custody is temporary, to allow that animal to chase or worry any person, domestic animal or fowl, or any species of protected wildlife.
- B. A judge or the administrative law judge may impose a six month muzzling order for any animal found to have engaged in conduct in violation of this section.
- C. A violation of this section is an infraction.

6.20.030 Vicious animals.

- A. Any animal which bites or attacks a person or animal in violation of section 6.16.010 is deemed a vicious animal for a period of two years and may be subject to a muzzling, destruction or removal order, as determined by the supervisor. If, at the conclusion of two years from the date of determination, the animal has not been found running at large and has not attacked any other person or animal, it shall no longer be deemed a vicious animal.
- B. Vicious animals are subject to additional fees. The owners of vicious animals must pay these additional fees and provide proof of liability insurance in an amount determined in the consolidated fee schedule, prior to redeeming the animal.
- C. It is unlawful for a vicious animal to be off the premises of the owner unless the animal is under restraint and properly muzzled so as to prevent it from injuring any person or animal.
- D. Vicious animals are prohibited from participating in off-leash areas of public parks.
- E. Any animal which bites or attacks a person or animal in violation of section 6.16.010 for a second time during the life of that animal shall be permanently deemed a vicious animal and subject to removal or destruction orders, as determined by the supervisor.

6.20.040 Muzzling orders.

A. Any judge may order the owner of any animal which has engaged in conduct in violation of this chapter to muzzle the animal when it is in public places. The muzzling order shall also require adequate restraint of the animal at all times to prevent the animal from leaving private property on its own.

B. All vicious animals are subject to muzzling orders so long as they are deemed vicious animals.

C. An owner or person with charge, care, custody or possession of an animal subject to a muzzling order, shall not permit that animal to enter public property or the property of another without the muzzle in place.

D. It is not a defense to a violation of this section that the animal removed the muzzle or escaped from the premises without the owner's knowledge.

E. A violation of this section is a class B misdemeanor.

6.20.050 Removal orders.

An order of removal may be issued by the supervisor if an animal has:

1. Attacked or worried another person or animal on more than one occasion within a one-month period, not leading to bodily injury;
2. Bitten a person;
3. Been treated cruelly, neglected or abused; or
4. Has run at large on more than one occasion during the previous twelve months.

B. When the removal order takes effect, the supervisor may place the animal with another owner or agency, or otherwise dispose of the animal in accordance with this chapter, at the supervisor's sole discretion.

6.20.060 Destruction orders.

A. An order of destruction may be issued by the supervisor if an animal has:

1. on more than one occasion within a twelve month period bitten a person or animal;
2. inflicted substantial bodily injury on a person in a single attack;
3. bitten multiple people and/or animals in a single incident; or
4. has bitten a person or animal, and in the opinion of a licensed veterinarian is substantially likely to attack again.

B. Upon receiving a destruction order, the supervisor may dispose of the animal or place it with another owner or agency, at the supervisor's sole discretion.

6.20.070 Duty to report bites.

A. Any person having knowledge of any individual or animal having been bitten by an animal of any species subject to rabies shall report the incident immediately to the animal control division or to the Salt Lake County Health Department.

B. The owner of an animal that bites a person and any person bitten by an animal shall report the bite to the animal control division, South Salt Lake City police department, or the Salt Lake County Health Department immediately after the bite, regardless of whether or not the biting animal is of a species subject to rabies.

C. A physician or other medical personnel who renders professional treatment within the City to a person bitten by an animal shall report the fact that he or she has rendered treatment within twenty-four hours of the first professional attendance. The physician shall state the name, sex

and address of the person bitten as well as the type and location of the bite or other information necessary to ascertain the immunization status of the biting animal.

D. Any person treating an animal bitten, injured or mauled by another animal shall report the incident to the animal control division. The report shall contain the name and address of the owner of the wounded, injured or bitten animal, the name and address of the owner and description of the animal which caused the injury, and the location of the incident.

6.20.080 Nuisance animals.

A. Any owner or person having charge, care, custody or control of an animal causing a nuisance is in violation of this section.

B. A nuisance animal is one which:

1. causes damage to the property of anyone other than its owner;
2. has committed a second offense of section 6.16.020 of this chapter within a twelve month period;
3. causes unreasonable fouling of the air by odors;
4. causes unsanitary conditions in enclosures or surroundings;
5. defecates on any public sidewalk, park or building, or on any private property on more than one occasion without the consent of the owner of such private property owner, unless the owner or custodian promptly removes the defecation;
6. barks, whines or howls or makes other disturbing noises in an excessive, continuous or untimely fashion, and at least one person's peace and repose is substantially or repeatedly disrupted by the noise;
7. is found running at large on more than one occasion within a twelve month period; or
8. molests passers by or chases passing vehicles on more than one occasion during a one month period.

C. Nuisance animals are subject to additional fees, in an amount determined by the consolidated fee schedule.

Division II Rabies Prevention

6.20.090 Rabies vaccinations.

A. Rabies vaccinations, as approved by the Salt Lake County Health Department board of health, are required for dogs, cats, ferrets, or any other animal which is kept and is susceptible to rabies. The owner or person having the charge, care, custody and control of a cat, dog, or ferret which is six months of age or older, shall have the animal vaccinated within thirty (30) days after it reaches six months. Other vaccination requirements are those set out in the laws of the State of Utah.

B. Any person permitting any such animal to habitually be on or remain, or be lodged or fed within such person's house, yard or premises shall be responsible for such vaccination.

C. Unvaccinated dogs or cats over six months of age acquired by the owner or moved into the city must be vaccinated within or before thirty (30) days of purchase or arrival.

D. Owners shall maintain current certifications of vaccination prepared by a veterinarian.

E. This section does not apply to licensed veterinarian or kennel operators temporarily maintaining on their premises animals owned by others.

6.20.100 Duties of veterinarians and tag requirements.

A. Each veterinarian, when vaccinating any animal for rabies, is required to complete a certificate of rabies vaccination (in duplicate) which includes the following information:

1. Owner's name and address;
2. Description of animal (breed, sex, markings, age, name);
3. Date of vaccination;
4. Rabies vaccination tag number;
5. Type of rabies vaccine administered; and
6. Manufacturer's serial number of vaccine.

B. A copy of the certificate shall be distributed to the owner and original retained by the issuing veterinarian. The veterinarian and the owner shall retain their copies of the certificate for the interval between vaccinations specified in this section.

C. A metal or durable plastic rabies vaccination tag, serially numbered, shall be securely attached to the collar or harness of the animal. A dog not wearing such a tag shall be deemed to be unvaccinated and may be impounded and dealt with pursuant to this chapter.

D. The provisions of this chapter with respect to vaccination shall not apply to any animal owned by a person temporarily remaining within the city for less than thirty (30) days. Such animals shall be kept under strict supervision of the owner. It is unlawful to bring any animal into the city which does not comply with the animal and health laws and import regulations.

6.20.110 Impoundment of animals without valid rabies vaccination tag.

A. Any vaccinated animal impounded due to failure to wear a rabies vaccination tag may be reclaimed by its owner furnishing proof of rabies vaccination and payment of all impoundment fees prior to release.

B. Any unvaccinated animal may be reclaimed prior to disposal by payment of impound fees and by obtaining a rabies vaccination within seventy-two (72) hours of release. Failure to provide proof of timely vaccination within seven days of vaccination is an infraction.

C. Any animal not reclaimed prior to the period shall be disposed of pursuant to the provisions of Section 6.08.080.

6.20.120 Reporting rabid animals.

Any person who has knowledge of the whereabouts of an animal known to have been exposed to, or suspected of having rabies, or an animal or person bitten by such a suspect animal, shall notify the animal control division, the Salt Lake County Health Department or the Utah Division of Health.

6.20.130 Quarantine and disposition of biting animals.

A. All animals of a species which can carry rabies which bite other animals, or which show signs of having rabies, shall be reported by the owner and immediately confined in a secure place by the owner. The owner shall turn over the animal to the animal control division upon demand.

B. Any animal of a species subject to rabies that bites a person or animal or is suspected of having rabies may be seized and quarantined for observation for a period of not less than ten days by the animal control division or the Salt Lake County Health Department.

C. Other arrangements, including confinement by an owner, may be made by the supervisor if the animal had a current rabies vaccination at the time the bite was inflicted, or in the event of other special circumstances justifying an exception. The person who has custody of an animal under quarantine shall immediately notify animal services if the animal shows any signs of

sickness or abnormal behavior, or if the animal escapes confinement. It is unlawful to prevent an animal control officer from inspecting or examining the animal during the period of quarantine.

D. If an animal dies within ten days from the date of the bite, the person having custody shall immediately notify the supervisor or immediately remove and deliver the head of the animal to the State Health Laboratory to be examined for rabies.

E. If, at the end of the ten-day quarantine period, the supervisor finds no sign of rabies, then the animal may be returned to the owner, removed, or destroyed in accordance with the other provisions of this Title.

6.20.140 Disposition of unvaccinated bitten animals.

A. If an unvaccinated animal species subject to rabies is bitten by a known rabid animal, then the exposed animal should be immediately destroyed.

B. If the owner of an unvaccinated animal is unwilling to destroy the bitten or exposed animal, the animal shall be immediately isolated and quarantined for sixty (60) days under veterinary supervision, the cost of such confinement to be paid in advance by the owner. The animal may only be released from quarantine at the conclusion of this period if, in the opinion of the veterinarian, the animal is not infected with rabies.

C. The animal shall be destroyed if the owner does not comply with the provisions of this section.

6.20.150 Disposition of vaccinated bitten animals.

A. If a bitten or exposed animal has been vaccinated, the animal shall be re-vaccinated within twenty-four (24) hours and quarantined for a period of ten (10) days following re-vaccination.

B. If the animal is not re-vaccinated within twenty-four (24) hours, the animal shall be isolated and quarantined under veterinary supervision for thirty (30) days. The animal may only be released from quarantine at the conclusion of this period if, in the opinion of the veterinarian, the animal is not infected with rabies.

C. The animal shall be destroyed if the owner does not comply with this section.

6.20.160 Removal of quarantined animal unlawful.

Removing any animal from the place of quarantine without written permission of the supervisor is a class B misdemeanor.

Chapter 6.24 Licensing

6.24.010 Dog and cat licensing.

A. All dogs and cats must be licensed annually with proof of vaccination, except as otherwise provided herein, to a person of the age of eighteen (18) or older, or to a person under the age of eighteen (18) with the written permission of a parent or guardian.

B. Any person owning, possessing or harboring a cat or dog shall obtain a license for such animal within thirty (30) days after the animal reaches the age of six months; or in the case of an animal over six months, within ten days of acquiring the animal.

C. Animal sitting. A person who is temporarily harboring another person's dog or cat shall notify the supervisor if the animal has remained or will remain with that person for more than fourteen consecutive days, and provide owner contact information. For purposes of this title, animals are deemed "owned" by the person in custody of that animal if that person does not

notify the Supervisor under this subsection, or if the animal remains at that person's residence or establishment for more than thirty (30) days.

D. License applications must be submitted to the supervisor, utilizing a standard form which requests name, address, e-mail and telephone number of the applicant; breed, sex, color and age of the animal and rabies information. The application shall be accompanied by the prescribed license fee and by a current rabies vaccination certificate. Rabies vaccinations shall be given by a licensed veterinarian every three years.

E. All fees for licensing are set by resolution of the City Council. Fees for new applications and renewal applications shall be calculated on a monthly pro rata basis up to the date when vaccinations for animals become due unless such applications are submitted with new proof of vaccination; all application fees shall thereafter be paid concurrently with proof of vaccination.

F. No animal shall be licensed as spayed or neutered without proof that such surgery was performed.

G. Licenses shall expire one year from the date of issue, or in the case of new or renewal licenses which do not correspond with proof of vaccination requirements, upon the date when proof of vaccination is required.

6.24.020 License tags.

A. Upon payment of a license fee, the supervisor shall issue to the owner a receipt and tag for each animal licensed. The tag shall have stamped thereon the license number corresponding with the tag number on the certificate. The owner shall attach the tag to the collar or harness of the animal and see that the collar and tag are worn at all times. Failure to attach the tag as provided is a violation of this chapter, except for police service dogs.

B. Exception for cats. In lieu of requiring a collar and tag, a cat owner may request that the division implant a microchip in the animal. The microchip shall contain owner and licensing information.

C. Tags and licenses are non-transferrable between animals. No refunds shall be made on any dog license fee for any reason whatsoever. Replacements for lost or destroyed tags shall be issued upon payment of an administrative fee to the supervisor.

D. Any person removing or causing to be removed the collar, harness or tag from any licensed animal without the consent of the owner or keeper thereof, except a veterinarian or animal control officer who removes such for medical or other reasons, shall be guilty of a class C misdemeanor.

6.24.030 Exemptions.

The provisions of sections 6.20.010 and 6.20.020 do not apply to the following:

- A. Licensed dogs or cats whose owners are nonresidents temporarily (up to thirty (30) days) within the city. Dog or cat owners who remain within the city longer than thirty (30) days may transfer to a local license upon payment of an administrative fee and proof of rabies vaccination.
- B. Individual dogs or cats within a properly licensed kennel or establishment where animals are held for resale.
- C. Fee provisions of section 6.20.010 shall not apply to service animals.
- D. Nothing in this section shall be construed so as to exempt any dog or cat from having a current rabies vaccination.

6.24.040 Ferret license.

- A. All ferrets must be licensed with the city, which license must be renewed annually, with proof of current vaccination.
- B. All licensed ferrets must be micro-chipped, and the microchip number must be included with all registration forms.
- C. Owners of ferrets shall provide a cage or kennel of sufficient size and construction to allow proper space and safekeeping of the animals.
- D. When a ferret is outside, it shall be kept on a harness with a leash not in excess of six feet in length specifically designed for ferrets.

6.24.050 First year's licensing fee waived for adopted animals – vaccination clinics.

The supervisor shall waive the first year's licensing fee for any rescued animal:

- A. which is adopted from an Animal Shelter; or
- B. which receives a vaccination as part of a vaccination clinic in which the city participates or sponsors.

6.24.060 Guard dog restrictions.

Guard dogs may be kept pursuant to the following restrictions:

- A. Guard dogs must be kept in a fenced run or other suitable enclosure and under absolute control during hours when the property is open to the public so as to prevent their direct contact with the public.
- B. Guard dogs shall be at all times properly restrained in a sufficient manner, including chaining, fencing or both, to prevent their escape from the property.
- C. Guard dogs shall be registered with the city according to procedures to be developed with the Division and the Police Department.
- D. The property shall be marked with signs near all entrances which warns of the presence of a guard dog.
- E. Proof of liability insurance for all guard dogs shall be presented and kept current for at least \$50,000.00 in benefits for injuries wrongfully inflicted by a guard dog.
- F. Any registered guard dog which is discovered running at large or attacks an animal or person outside of the business premises shall have its registration revoked, and it may not be returned to the business premises.

6.24.070 License revocation or denial.

A. All of an owner's dog or cat licenses shall be revoked, or applications for licensure shall be denied, due to the following circumstances:

1. The owner has allowed one or more dogs to run at large on three or more occasions within twelve months;
2. The owner or a member of the owner's household has been found by a judicial or administrative court to have treated an animal with abuse, cruelty or neglect within the past three years;
3. The city has ordered destruction or removal of an owner's animal within the past three years, which order was not reversed by an administrative or judicial court;
4. An animal was treated cruelly or abused in the owner's residence, and the person who perpetrated that behavior still resides in the residence, whether related to the owner or not; or

5. Keeping the animal for which license is sought would be a violation of the provisions of this code, county health department ordinances, state or federal law.
- B. Any animal whose license has been revoked shall be impounded by the supervisor and dealt with under the same provisions as other impounded animals, except that the person under order of revocation shall not be allowed to redeem the animal under any circumstances.
- C. A person who has had an animal license revoked or denied may not be issued another license by the city for a period of three (3) years.

6.28 Regulatory Permits & Hobby Licenses

6.28.010 Regulatory permits – Hobby licenses.

- A. It is unlawful for any person to operate or maintain a kennel, cattery, pet shop, groomery, riding stable, veterinary clinic or hospital, or any similar establishment unless such person first obtains a regulatory permit from the supervisor, in addition to all other required permits or licenses. Permit applications must be submitted, on a form provided by the supervisor, to the city. Permits expire annually, and require a renewal fee.
- B. A person who is granted a hobby license by the city may exceed the amount of animals permitted under section 6.12.170, so long as the property on which the animals are kept comply with the provisions of this chapter, and the licensee remains eligible. Hobby licenses do not vest a property owner with the right to maintain a hobby license at that location. Hobby licenses expire annually, and require a renewal fee.

6.28.020 Regulations.

- A. The supervisor shall promulgate rules and regulations governing the operation of kennels, catteries, groomeries, pet shops, riding stables, community cat colonies, premises of hobby licenses, and veterinary clinics or hospitals. Such regulations may provide for the structures, pens, cages, runways or yards required for the animals to be kept; measures relating to the health of the animals, noise and odor control, and the protection of persons and property; or other matters necessary to the quiet enjoyment of the neighborhood.
- B. Regulations promulgated by the supervisor shall have the effect of law, and violation of such rules and regulations shall be deemed a violation of this chapter, and grounds for revocation of a permit issued by the city.

6.28.030 Specific regulations related to hobby and private cattery licenses.

- A. Animal limits. A hobby licensee shall be permitted to keep no more than the following on the premises:
1. Five (5) dogs over one year of age;
 2. Six (6) cats over one year of age; and
 3. Four (4) ferrets over one year of age.
- B. Hobby and cattery licenses may only be located within a single family home, and issued to a resident of that home.
- C. Litters of animals. Licensee may keep, intact, one litter of puppies/kittens up to six months of age and may thereafter keep one animal from the original litter up to an age of twelve (12) months, or if there are less than the amount identified in subsection A over one year of age, the licensee may keep from the original litter more animals, so long as the total number of

animals over six months of age kept by the licensee does not exceed the amount identified in subsection A.

D. Statement of hobby interest. The applicant for a hobby license shall complete a form provided by the city which form shall indicate the applicant's desire to maintain animals for hobby purpose. Hobby purposes shall include, but not be limited to, the showing of dogs, the training of animals for field trials, training of animals for obedience, tracking and other purposes, or for recreation and sporting purposes.

E. Outdoor requirements.

1. The minimum lot size for any location on which a hobby license will be located is ten-thousand (10,000) square feet.

2. Fencing must be of sufficient strength to prevent the escape of any animal housed within that fencing, and shall be maintained in that condition.

F. If dogs are to be kept outside at the licensee's premises, then the owner shall provide dog runs. Dog runs shall:

1. include a shelter to protect the animals from foul weather, wind and excessive exposure to elements must be provided;

2. be designed to prevent escape of any dog contained therein;

3. be located at least thirty-five (35) feet from the nearest portion of any building, not owned by the licensee, which is used as a dwelling.

4. be no less than thirty-two (32) square feet in size if the dog restrained therein is over fifty (50) pounds in weight;

5. be no less than eighteen (18) square feet in size when the dog restrained therein is less than fifty (50) pounds in weight;

6. if communal dog runs are provided, the dog runs shall be proportionately larger for each additional dog.

G. Bedding shall be of a material which may be disposed of by sanitary means, or removed and cleaned. Absorbent material shall be used and replaced daily to absorb moisture in bedding areas, and the areas beneath them cleaned and disinfected daily.

H. Dog runs shall be cleaned and maintained in the following manner:

1. All runs shall be cleaned and disinfected as needed each day to prevent fecal accumulation;

2. Cleaning agents which are harmful to animals may not be used if there is a possibility of contact or ingestion of the chemical by the animal;

3. Fecal material shall be properly handled and disposed of in accordance with applicable regulations of the Salt Lake County Health Department;

4. Accumulations of waste material or garbage in and around any dog run shall be cleaned up and disposed of at least daily; and

5. The floors of a dog run, if constructed of concrete, shall consist of a resting board or some type of bedding for the dogs restrained therein.

I. Food and water. The feed given to animals shall be stored in a manner so as to prevent contamination from any source, and fresh water shall be available to the animals at all times. The food shall be kept and provided to the animals in such a method which prevents rodents from accessing it.

J. Noise control. Licensee shall take steps necessary to assure that noise generated by the dogs kept or owned by licensee does not exceed the noise levels or limits established by the Salt

Lake County Health Department regulations. All animals shall be enclosed within a shelter between the hours of nine p.m. and seven a.m. the following day.

K. Private Cattery. In addition to the applicable requirements in this section, all cats kept in a private cattery shall be sexually sterilized and kept vaccinated for rabies.

6.28.040 Permits and hobby licenses non-transferrable.

Permits and hobby licenses may not be transferred to other individuals or premises.

6.28.050 Fees.

The City Council shall set regulatory permit fees by resolution, in the following categories:

1. Kennels, catteries, groomeries, pet shops, veterinary clinics or hospitals:
 - a. Class A, three to fifteen (15) animals;
 - b. Class B, sixteen (16) to thirty (30) animals;
 - c. Class C, thirty-one (31) or more animals;
2. Riding school or stable;
3. Community Cat Colonies;
4. Hobby licenses; and
5. Late fees.

6.28.060 Inspections.

Permitted and licensed establishments are subject to periodic inspections in order to ensure the continued humane treatment of animals, the safety of people, and abatement of any nuisance to neighboring properties or the community. Inspection reports shall be filed with the supervisor.

6.28.070 Suspension or revocation of permit.

A permit or license may be suspended or revoked, or a permit application rejected, on any one or more of the following grounds:

- A. Falsification of facts in permit application;
- B. Violation of the provisions of this chapter or other laws or regulations governing the establishment, including noise, building and zoning ordinances; or
- C. Conviction or an administrative finding of a charge of cruelty to animals by any owner or individual currently employed by or volunteering with the permittee, or allowing such a person to return to the premises after notification of the offense.

6.28.080 Notice.

A. Unless accompanied by a substantial hazard to public health, permit suspension or revocation shall not proceed until ten days following notice. Notice is deemed served as provided in section 6.04.050.

B. The notice shall include:

1. The specific violations constituting cause for the adverse action;
2. If the Notice is due to a violation of 6.24.070(B), a specific and reasonable period of time for the correction of the discovered violations;
3. If the Notice is due to a violation of 6.24.070(C), a period of time by which the offender must be removed and trespassed from the premises;
4. The date on which suspension or revocation will be effective; and

5. A statement that an appeal from the Notice will be provided if a written request for a hearing is filed in the city recorder's office within ten days of the date of the decision which is being appealed.

C. A timely appeal of the Notice stays the suspension or revocation pending the administrative hearing.

6.28.090 Emergency suspension.

A. Notwithstanding any other provision of this chapter, when the supervisor discovers unsanitary conditions in the operation of kennels, catteries, groomeries, veterinary clinics or hospitals, riding stables, pet shops, community cat colonies or any similar establishment, which constitutes a substantial hazard to public health, the supervisor may without warning or hearing issue a written notice to the permittee or operator citing such condition, and specifying the corrective action to be taken.

B. Such an order may state that the permit is immediately suspended, and that all operations are to be immediately discontinued.

C. Animals located at the facility at the time of this order may be impounded by the supervisor or otherwise provided for according to the provisions of this chapter.

6.28.100 Exemptions.

State-licensed research facilities where bona fide medical or related research is being conducted, animal shelters, or establishments licensed by federal law are excluded from the licensing requirements of this chapter.

6.32 Community Cat Program

6.32.010 Purpose.

The City Council finds that the presence of feral cats disrupts the health, safety, and quiet enjoyment of our community, and that the enactment of a program designed to reduce the number of feral cats through a system of trapping, sterilization, and releasing community cats will benefit the city.

6.32.020 Application.

A. Only a non-profit organization may apply for a cat colony permit.

B. Application to establish a community cat colony shall be in compliance with the provisions of this chapter related to regulatory permits, and shall include the following information:

1. Name, phone number, email and physical address of the applicant;
2. Proof of permission by a property owner or landlord to maintain a colony at the proposed site;
3. The name of all organizations or veterinarian which will be providing vaccination, sterilization, and ear-tipping services to the feral cats;
4. Proof of vaccination and sterilization for each cat in the colony, or proof that cats are actively being trapped so as to perform sterilization, vaccination and ear-tipping;
5. Stamped envelopes with the pre-printed name and address of each property owner of property contained within a two-hundred (200) foot radius from the proposed location of the colony.

6.32.030 Notice to neighbors – Meeting – Restrictions.

- A. Prior to the permit being issued, the city shall provide notice to all neighbors within two-hundred (200) feet of the proposed colony location. The notice shall provide an opportunity for residents and business owners within that range to express concerns or support for the colony.
- B. The supervisor may organize a meeting open to the public during which the community cat program will be discussed, and concerns addressed.
- C. The supervisor shall consider the concerns of neighbors, and may place appropriate restrictions on the permit, as appropriate under the circumstances.

6.32.040 Feeding community cats.

- A. Permittees may only provide food to community cats twice per day, with feeding times not to exceed one hour each.
- B. Between feedings, all community cat food shall be kept in a sealed container.
- C. During feedings, the food shall be spread on a tarp or other implement used to keep food from dropping to the ground, and food which is not consumed by the community cats during feeding time shall be captured and secured in the sealed container or disposed of in a lidded garbage receptacle.
- D. Feeding areas may not be located within thirty (30) feet of a primary residential or commercial structure.

6.32.050 Nuisance.

- A. If one or more community cats has been found to cause a nuisance to neighbors due to excessive and disruptive noise, odor or hazards to health and safety, then the supervisor may place additional restrictions on the permit calculated to mitigate the nuisance.
- B. If the permittee will not impose the restrictions or those restrictions are ineffective to reduce the nuisance, the supervisor is authorized to impound community cats causing the nuisance and either relocate or dispose of them.
- C. The refusal of a permittee to correct a nuisance is grounds for revocation of the community cat colony permit.

6.32.060 Renewal.

A cat colony license shall be renewed annually, and shall include a report of the number of animals trapped and released, the number of animals known to be members of the colony, and progress reports regarding the abatement of nuisance activity by the animals.

6.32.070 Community cat exemptions.

Community cats are exempt from:

- A. Licensing requirements of this chapter;
- B. Feeding bans;
- C. Prohibitions against harboring strays; and
- D. The five-day holding period otherwise mandated by law for stray animals.